



Sen. Ram Villivalam

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10300HB1342sam002

LRB103 24929 RPS 61758 a

1 AMENDMENT TO HOUSE BILL 1342

2 AMENDMENT NO. _____. Amend House Bill 1342 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Metropolitan Transit Authority Act is
5 amended by changing Sections 31 and 51 as follows:

6 (70 ILCS 3605/31) (from Ch. 111 2/3, par. 331)

7 Sec. 31. The Board shall have power to pass all ordinances
8 and make all rules and regulations proper or necessary to
9 regulate the use, operation and maintenance of its property
10 and facilities, and to carry into effect the powers granted to
11 the Authority, with such fines or penalties, including
12 ordinances, rules, and regulations concerning the suspension
13 of riding privileges or confiscation of fare media under
14 Section 2.40 of the Regional Transportation Authority Act, as
15 may be deemed proper. No fine or penalty shall exceed \$300.00,
16 and no imprisonment shall exceed six (6) months for one

1 offense. All fines and penalties shall be imposed by
2 ordinances, which shall be published in a newspaper of general
3 circulation published in the metropolitan area. No such
4 ordinance shall take effect until ten days after its
5 publication.

6 (Source: P.A. 80-937.)

7 (70 ILCS 3605/51)

8 Sec. 51. Free and reduced fare services; eligibility.

9 (a) Notwithstanding any law to the contrary, no later than
10 60 days following the effective date of this amendatory Act of
11 the 95th General Assembly and until subsection (b) is
12 implemented, any fixed route public transportation services
13 provided by, or under grant or purchase of service contracts
14 of, the Board shall be provided without charge to all senior
15 citizens of the Metropolitan Region (as such term is defined
16 in 70 ILCS 3615/1.03) aged 65 and older, under such conditions
17 as shall be prescribed by the Board.

18 (b) Notwithstanding any law to the contrary, no later than
19 180 days following the effective date of this amendatory Act
20 of the 96th General Assembly, any fixed route public
21 transportation services provided by, or under grant or
22 purchase of service contracts of, the Board shall be provided
23 without charge to senior citizens aged 65 and older who meet
24 the income eligibility limitation set forth in subsection
25 (a-5) of Section 4 of the Senior Citizens and Persons with

1 Disabilities Property Tax Relief Act, under such conditions as
2 shall be prescribed by the Board. The Department on Aging
3 shall furnish all information reasonably necessary to
4 determine eligibility, including updated lists of individuals
5 who are eligible for services without charge under this
6 Section. Nothing in this Section shall relieve the Board from
7 providing reduced fares as may be required by federal law.

8 (c) The Board shall partner with the City of Chicago to
9 provide transportation at reduced fares for participants in
10 programs that offer employment and internship opportunities to
11 youth and young adults ages 14 through 24.

12 (Source: P.A. 99-143, eff. 7-27-15.)

13 Section 10. The Local Mass Transit District Act is amended
14 by changing Section 5 and adding Section 5.6 as follows:

15 (70 ILCS 3610/5) (from Ch. 111 2/3, par. 355)

16 Sec. 5. (a) The Board of Trustees of every District may
17 establish or acquire any or all manner of mass transit
18 facility. The Board may engage in the business of
19 transportation of passengers on scheduled routes and by
20 contract on nonscheduled routes within the territorial limits
21 of the counties or municipalities creating the District, by
22 whatever means it may decide. Its routes may be extended
23 beyond such territorial limits with the consent of the
24 governing bodies of the municipalities or counties into which

1 such operation is extended.

2 (b) The Board of Trustees of every District may for the
3 purposes of the District, acquire by gift, purchase, lease,
4 legacy, condemnation, or otherwise and hold, use, improve,
5 maintain, operate, own, manage or lease, as lessor or lessee,
6 such cars, buses, equipment, buildings, structures, real and
7 personal property, and interests therein, and services, lands
8 for terminal and other related facilities, improvements and
9 services, or any interest therein, including all or any part
10 of the plant, land, buildings, equipment, vehicles, licenses,
11 franchises, patents, property, service contracts and
12 agreements of every kind and nature. Real property may be so
13 acquired if it is situated within or partially within the area
14 served by the District or if it is outside the area if it is
15 desirable or necessary for the purposes of the District.

16 (c) The Board of Trustees of every District which
17 establishes, provides, or acquires mass transit facilities or
18 services may contract with any person or corporation or public
19 or private entity for the operation or provision thereof upon
20 such terms and conditions as the District shall determine.

21 (d) The Board of Trustees of every District shall have the
22 authority to contract for any and all purposes of the
23 District, including with an interstate transportation
24 authority, or with another local Mass Transit District or any
25 other municipal, public, or private corporation entity in the
26 transportation business including the authority to contract to

1 lease its or otherwise provide land, buildings, and equipment,
2 and other related facilities, improvements, and services, for
3 the carriage of passengers beyond the territorial limits of
4 the District or to subsidize transit operations by a public or
5 private or municipal corporation operating entity providing
6 mass transit facilities.

7 (e) The Board of Trustees of every District shall have the
8 authority to establish, alter and discontinue transportation
9 routes and services and any or all ancillary or supporting
10 facilities and services, and to establish and amend rate
11 schedules for the transportation of persons thereon or for the
12 public or private use thereof which rate schedules shall,
13 together with any grants, receipts or income from other
14 sources, be sufficient to pay the expenses of the District,
15 the repair, maintenance and the safe and adequate operation of
16 its mass transit facilities and public mass transportation
17 system and to fulfill the terms of its debts, undertakings,
18 and obligations.

19 (f) The Board of Trustees of every District shall have
20 perpetual succession and shall have the following powers in
21 addition to any others in this Act granted:

22 (1) to sue and be sued;

23 (2) to adopt and use a seal;

24 (3) to make and execute contracts loans, leases,
25 subleases, installment purchase agreements, contracts,
26 notes and other instruments evidencing financial

1 obligations, and other instruments necessary or convenient
2 in the exercise of its powers;

3 (4) to make, amend and repeal bylaws, rules and
4 regulations not inconsistent with this Act, including
5 rules and regulations proper or necessary to regulate the
6 use, operation, and maintenance of its properties and
7 facilities and to carry into effect the powers granted to
8 the Board of Trustees, with any necessary fines or
9 penalties, such as the suspension of riding privileges or
10 confiscation of fare media under Section 5.6, as the Board
11 deems proper;

12 (5) to sell, lease, sublease, license, transfer,
13 convey or otherwise dispose of any of its real or personal
14 property, or interests therein, in whole or in part, at
15 any time upon such terms and conditions as it may
16 determine, with public bidding if the value exceeds \$1,000
17 at negotiated, competitive, public, or private sale;

18 (6) to invest funds, not required for immediate
19 disbursement, in property, agreements, or securities legal
20 for investment of public funds controlled by savings banks
21 under applicable law;

22 (7) to mortgage, pledge, hypothecate or otherwise
23 encumber all or any part of its real or personal property
24 or other assets, or interests therein;

25 (8) to apply for, accept and use grants, loans or
26 other financial assistance from any private entity or

1 municipal, county, State or Federal governmental agency or
2 other public entity;

3 (9) to borrow money from the United States Government
4 or any agency thereof, or from any other public or private
5 source, for the purposes of the District and, as evidence
6 thereof, to issue its revenue bonds, payable solely from
7 the revenue derived from the operation of the District.
8 These bonds may be issued with maturities not exceeding 40
9 years from the date of the bonds, and in such amounts as
10 may be necessary to provide sufficient funds, together
11 with interest, for the purposes of the District. These
12 bonds shall bear interest at a rate of not more than the
13 maximum rate authorized by the Bond Authorization Act, as
14 amended at the time of the making of the contract of sale,
15 payable semi-annually, may be made registerable as to
16 principal, and may be made payable and callable as
17 provided on any interest payment date at a price of par and
18 accrued interest under such terms and conditions as may be
19 fixed by the ordinance authorizing the issuance of the
20 bonds. Bonds issued under this Section are negotiable
21 instruments. They shall be executed by the chairman and
22 members of the Board of Trustees, attested by the
23 secretary, and shall be sealed with the corporate seal of
24 the District. In case any Trustee or officer whose
25 signature appears on the bonds or coupons ceases to hold
26 that office before the bonds are delivered, such officer's

1 signature, shall nevertheless be valid and sufficient for
2 all purposes, the same as though such officer had remained
3 in office until the bonds were delivered. The bonds shall
4 be sold in such manner and upon such terms as the Board of
5 Trustees shall determine, except that the selling price
6 shall be such that the interest cost to the District of the
7 proceeds of the bonds shall not exceed the maximum rate
8 authorized by the Bond Authorization Act, as amended at
9 the time of the making of the contract of sale, payable
10 semi-annually, computed to maturity according to the
11 standard table of bond values.

12 The ordinance shall fix the amount of revenue bonds
13 proposed to be issued, the maturity or maturities, the
14 interest rate, which shall not exceed the maximum rate
15 authorized by the Bond Authorization Act, as amended at
16 the time of the making of the contract of sale, and all the
17 details in connection with the bonds. The ordinance may
18 contain such covenants and restrictions upon the issuance
19 of additional revenue bonds thereafter, which will share
20 equally in the revenue of the District, as may be deemed
21 necessary or advisable for the assurance of the payment of
22 the bonds first issued. Any District may also provide in
23 the ordinance authorizing the issuance of bonds under this
24 Section that the bonds, or such ones thereof as may be
25 specified, shall, to the extent and in the manner
26 prescribed, be subordinated and be junior in standing,

1 with respect to the payment of principal and interest and
2 the security thereof, to such other bonds as are
3 designated in the ordinance.

4 The ordinance shall pledge the revenue derived from
5 the operations of the District for the purpose of paying
6 the cost of operation and maintenance of the District,
7 and, as applicable, providing adequate depreciation funds,
8 and paying the principal of and interest on the bonds of
9 the District issued under this Section;

10 (10) subject to Section 5.1, to levy a tax on property
11 within the District at the rate of not to exceed .25% on
12 the assessed value of such property in the manner provided
13 in the Illinois Municipal Budget Law;

14 (11) to issue tax anticipation warrants;

15 (12) to contract with any school district in this
16 State to provide for the transportation of pupils to and
17 from school within such district pursuant to the
18 provisions of Section 29-15 of the School Code;

19 (13) to provide for the insurance of any property,
20 directors, officers, employees or operations of the
21 District against any risk or hazard, and to self-insure or
22 participate in joint self-insurance pools or entities to
23 insure against such risk or hazard;

24 (14) to use its established funds, personnel, and
25 other resources to acquire, construct, operate, and
26 maintain bikeways and trails. Districts may cooperate with

1 other governmental and private agencies in bikeway and
2 trail programs; and

3 (15) to acquire, own, maintain, construct,
4 reconstruct, improve, repair, operate or lease any
5 light-rail public transportation system, terminal,
6 terminal facility, public airport, or bridge or toll
7 bridge across waters with any city, state, or both.

8 With respect to instruments for the payment of money
9 issued under this Section either before, on, or after June 6,
10 1989 (the effective date of Public Act 86-4), it is and always
11 has been the intention of the General Assembly (i) that the
12 Omnibus Bond Acts are and always have been supplementary
13 grants of power to issue instruments in accordance with the
14 Omnibus Bond Acts, regardless of any provision of this Act
15 that may appear to be or to have been more restrictive than
16 those Acts, (ii) that the provisions of this Section are not a
17 limitation on the supplementary authority granted by the
18 Omnibus Bond Acts, and (iii) that instruments issued under
19 this Section within the supplementary authority granted by the
20 Omnibus Bond Acts are not invalid because of any provision of
21 this Act that may appear to be or to have been more restrictive
22 than those Acts.

23 This Section shall be liberally construed to give effect
24 to its purposes.

25 (Source: P.A. 99-642, eff. 7-28-16.)

1 (70 ILCS 3610/5.6 new)

2 Sec. 5.6. Suspension of riding privileges and confiscation
3 of fare media.

4 (a) As used in this Section, "demographic information"
5 includes, but is not limited to, age, race, ethnicity, gender,
6 and housing status, as that term is defined under Section 10 of
7 the Bill of Rights for the Homeless Act.

8 (b) Suspension of riding privileges and confiscation of
9 fare media are limited to:

10 (1) violations where the person's conduct places
11 transit employees or transit passengers in reasonable
12 apprehension of a threat to their safety or the safety of
13 others, including assault and battery, as those terms are
14 defined under Sections 12-1 and 12-3 of the Criminal Code
15 of 2012;

16 (2) violations where the person's conduct places
17 transit employees or transit passengers in reasonable
18 apprehension of a threat of a criminal sexual assault, as
19 that term is defined under Section 11-1.20 of the Criminal
20 Code of 2012; and

21 (3) violations involving an act of public indecency,
22 as that term is defined in Section 11-30 of the Criminal
23 Code of 2012.

24 (c) Written notice shall be provided to an individual
25 regarding the suspension of the individual's riding privileges
26 or confiscation of fare media. The notice shall be provided in

1 person at the time of the alleged violation, except that, if
2 providing notice in person at the time of the alleged
3 violation is not practicable, then the Authority shall make a
4 reasonable effort to provide notice to the individual by
5 either personal service, by mailing a copy of the notice by
6 certified mail, return receipt requested, and first-class mail
7 to the person's current address, or by emailing a copy of the
8 notice to an email address on file, if available. If the person
9 is known to be detained in jail, service shall be made as
10 provided under Section 2-203.2 of the Code of Civil Procedure.
11 The written notice shall be sufficient to inform the
12 individual about the following:

13 (1) the nature of the suspension of riding privileges
14 or confiscation of fare media;

15 (2) the person's rights and available remedies to
16 contest or appeal the suspension of riding privileges or
17 confiscation of fare media and to apply for reinstatement
18 of riding privileges; and

19 (3) the procedures for adjudicating whether a
20 suspension or confiscation is warranted and for applying
21 for reinstatement of riding privileges, including the time
22 and location of any hearing.

23 The process to determine whether a suspension or riding
24 privileges or confiscation of fare media is warranted and the
25 length of the suspension shall be concluded within 30 days
26 after the individual receives notice of the suspension or

1 confiscation.

2 Notwithstanding any other provision of this Section, no
3 person shall be denied the ability to contest or appeal a
4 suspension of riding privileges or confiscation of fare media,
5 or to attend a hearing to determine whether a suspension or
6 confiscation was warranted, because the person was detained in
7 a jail.

8 (d) Each Board shall create an administrative suspension
9 hearing process as follows:

10 (1) A Board shall designate an official to oversee the
11 administrative process to decide whether a suspension is
12 warranted and the length of the suspension.

13 (2) The accused and related parties may attend this
14 hearing in person, by telephone, or virtually.

15 (3) The Board shall present the suspension-related
16 evidence and outline the evidence that supports the need
17 for the suspension.

18 (4) The accused can present and may make an oral or
19 written presentation and offer documents, including
20 affidavits, in response to the Board's evidence.

21 (5) The Board's designated official shall make a
22 finding on the suspension.

23 (6) The value of unexpended credit or unexpired passes
24 shall be reimbursed upon suspension of riding privileges
25 or confiscation of fare media.

26 (7) The alleged victims of the violation and related

1 parties, including witnesses who were present, may attend
2 this hearing in person, by telephone, or virtually.

3 (8) The alleged victims of the violation and related
4 parties, including witnesses who were present, can present
5 and may make an oral or written presentation and offer
6 documents, including affidavits, in response to the
7 Board's evidence.

8 (e) Each Board shall create a process to appeal and
9 reinstate ridership privileges. This information shall be
10 provided to the suspended rider at the time of the Board's
11 findings. A suspended rider is entitled to 2 appeals after the
12 Board's finding to suspend the person's ridership. A suspended
13 rider may petition the Board to reinstate the person's
14 ridership privileges one calendar year after the Board's
15 suspension finding if the length of the suspension is more
16 than one year.

17 (f) Each Board shall collect, report, and make publicly
18 available in a quarterly timeframe the number and demographic
19 information of people subject to suspension of riding
20 privileges or confiscation of fare media, the conduct leading
21 to the suspension or confiscation, as well as the location and
22 description of the location where the conduct occurred, such
23 as identifying the transit station or transit line, date, and
24 time of day, a citation to the statutory authority for which
25 the accused person was arrested or charged, the amount, if
26 any, on the fare media, and the length of the suspension.

1 Section 15. The Regional Transportation Authority Act is
2 amended by changing Sections 3A.09, 4.01, and 4.09 and by
3 adding Sections 2.10a, 2.40, 2.41, 2.42, 3.12, and 3B.09c as
4 follows:

5 (70 ILCS 3615/2.10a new)

6 Sec. 2.10a. Zero-emission buses.

7 (a) As used in this Section:

8 "Zero-emission bus" means a bus that is:

9 (1) designed to carry more than 10 passengers and is
10 used to carry passengers for compensation.

11 (2) a zero-emission vehicle; and

12 (3) not a taxi.

13 "Zero-emission vehicle" means a fuel cell or electric
14 vehicle that:

15 (1) is a motor vehicle;

16 (2) is made by a commercial manufacturer;

17 (3) is manufactured primarily for use on public
18 streets, roads, and highways;

19 (4) has a maximum speed capability of at least 55
20 miles per hour;

21 (5) is powered entirely by electricity or powered by
22 combining hydrogen and oxygen, which runs the motor;

23 (6) has an operating range of at least 100 miles; and

24 (7) produces only water vapor and heat as byproducts.

1 (b) On or after January 1, 2026, a Service Board may not
2 enter into a new contract to purchase a bus that is not a
3 zero-emission bus for the purpose of the Service Board's
4 transit bus fleet.

5 (70 ILCS 3615/2.40 new)

6 Sec. 2.40. Suspension of riding privileges and
7 confiscation of fare media.

8 (a) As used in this Section, "demographic information"
9 includes, but is not limited to, age, race, ethnicity, gender,
10 and housing status, as that term is defined under Section 10 of
11 the Bill of Rights for the Homeless Act.

12 (b) Suspension of riding privileges and confiscation of
13 fare media are limited to:

14 (1) violations where the person's conduct places
15 transit employees or transit passengers in reasonable
16 apprehension of a threat to their safety or the safety of
17 others, including assault and battery, as those terms are
18 defined under Sections 12-1 and 12-3 of the Criminal Code
19 of 2012;

20 (2) violations where the person's conduct places
21 transit employees or transit passengers in reasonable
22 apprehension of a threat of a criminal sexual assault, as
23 that term is defined under Section 11-1.20 of the Criminal
24 Code of 2012; and

25 (3) violations involving an act of public indecency,

1 as that term is defined in Section 11-30 of the Criminal
2 Code of 2012.

3 (c) Written notice shall be provided to an individual
4 regarding the suspension of the individual's riding privileges
5 or confiscation of fare media. The notice shall be provided in
6 person at the time of the alleged violation, except that, if
7 providing notice in person at the time of the alleged
8 violation is not practicable, then notice shall be provided to
9 the individual by either personal service or by mailing a copy
10 of the notice by certified mail, return receipt requested, and
11 first-class mail to the person's current address. If the
12 person is known to be detained in jail, service shall be made
13 as provided under Section 2-203.2 of the Code of Civil
14 Procedure. The written notice shall be sufficient to inform
15 the individual about the following:

16 (1) the nature of the suspension of riding privileges
17 or confiscation of fare media;

18 (2) the person's rights and available remedies to
19 contest or appeal the suspension of riding privileges or
20 confiscation of fare media and to apply for reinstatement
21 of riding privileges; and

22 (3) the procedures for adjudicating whether a
23 suspension or confiscation is warranted and for applying
24 for reinstatement of riding privileges, including the time
25 and location of any hearing.

26 The process to determine whether a suspension or riding

1 privileges or confiscation of fare media is warranted and the
2 length of the suspension shall be concluded within 30 days
3 after the individual receives notice of the suspension or
4 confiscation.

5 Notwithstanding any other provision of this Section, no
6 person shall be denied the ability to contest or appeal a
7 suspension of riding privileges or confiscation of fare media,
8 or to attend a hearing to determine whether a suspension or
9 confiscation was warranted, because the person was detained in
10 a jail.

11 (d) Each Service Board shall create an administrative
12 suspension hearing process as follows:

13 (1) A Service Board shall designate an official to
14 oversee the administrative process to decide whether a
15 suspension is warranted and the length of the suspension.

16 (2) The accused and related parties may attend this
17 hearing in person, by telephone, or virtually.

18 (3) The Service Board shall present the
19 suspension-related evidence and outline the evidence that
20 supports the need for the suspension.

21 (4) The accused can present and may make an oral or
22 written presentation and offer documents, including
23 affidavits, in response to the Service Board's evidence.

24 (5) The Service Board's designated official shall make
25 a finding on the suspension.

26 (6) The value of unexpended credit or unexpired passes

1 shall be reimbursed upon suspension of riding privileges
2 or confiscation of fare media.

3 (7) The alleged victims of the violation and related
4 parties, including witnesses who were present, may attend
5 this hearing in person, by telephone, or virtually.

6 (8) The alleged victims of the violation and related
7 parties, including witnesses who were present, can present
8 and may make an oral or written presentation and offer
9 documents, including affidavits, in response to the
10 Service Board's evidence.

11 (e) Each Service Board shall create a process to appeal
12 and reinstate ridership privileges. This information shall be
13 provided to the suspended rider at the time of the Service
14 Board's findings. A suspended rider is entitled to 2 appeals
15 after the Service Board's finding to suspend the person's
16 ridership. A suspended rider may petition the Service Board to
17 reinstate the person's ridership privileges one calendar year
18 after the Service Board's suspension finding if the length of
19 the suspension is more than one year.

20 (f) Each Service Board shall collect, report, and make
21 publicly available in a quarterly timeframe the number and
22 demographic information of people subject to suspension of
23 riding privileges or confiscation of fare media, the conduct
24 leading to the suspension or confiscation, as well as the
25 location and description of the location where the conduct
26 occurred, such as identifying the transit station or transit

1 line, date, and time of day, a citation to the statutory
2 authority for which the accused person was arrested or
3 charged, the amount, if any, on the fare media, and the length
4 of the suspension.

5 (70 ILCS 3615/2.41 new)

6 Sec. 2.41. Domestic Violence and Sexual Assault Regional
7 Transit Authority Public Transportation Assistance Program.

8 (a) No later than 90 days after the effective date of this
9 amendatory Act of the 103rd General Assembly, the Authority
10 shall create the Domestic Violence and Sexual Assault Regional
11 Transit Authority Public Transportation Assistance Program to
12 serve residents of the Authority.

13 Through this Program, the Authority shall issue monetarily
14 preloaded mass transit cards to The Network: Advocating
15 Against Domestic Violence for survivor and victim use of
16 public transportation through Chicago Transit Authority, the
17 Suburban Bus Division, and the Commuter Rail Division.

18 The Authority shall coordinate with The Network:
19 Advocating Against Domestic Violence to issue no less than
20 25,000 monetarily preloaded mass transit cards for
21 distribution to domestic violence and sexual assault service
22 providers throughout the Authority's jurisdiction, including
23 the counties of Cook, Kane, DuPage, Will, Lake, and McHenry.

24 The mass transit card shall be plastic or laminated and
25 wallet-sized, contain no information that would reference

1 domestic violence or sexual assault services, and have no
2 expiration date. The cards shall also be available
3 electronically and shall be distributed to domestic violence
4 and sexual assault direct service providers to distribute to
5 survivors.

6 The total number of mass transit cards shall be
7 distributed to domestic violence and sexual assault service
8 providers throughout the Authority's region based on the
9 average number of clients served in 2021 and 2022 in
10 comparison to the total number of mass transit cards granted
11 by the Authority.

12 (b) The creation of the Program shall include an
13 appointment of a domestic violence or sexual assault program
14 service provider or a representative of the service provider's
15 choosing to the Authority's Citizen Advisory Board.

16 The Network: Advocating Against Domestic Violence shall
17 provide an annual report of the program, including a list of
18 service providers receiving the mass transit cards, the total
19 number of cards received by each service provider, and an
20 estimated number of survivors and victims of domestic violence
21 and sexual assault participating in the program. The report
22 shall also include survivor testimonies of the program and
23 shall include program provided recommendations on improving
24 implementation of the Program. The report shall be provided to
25 the Regional Transit Authority one calendar year after the
26 creation of the Program.

1 In partnership with The Network: Advocating Against
2 Domestic Violence, the Authority shall report this information
3 to the Board and the Citizen Advisory Board and compile an
4 annual report of the Program to the General Assembly and to
5 domestic violence and sexual assault service providers in the
6 service providers' jurisdiction and include recommendations
7 for improving implementation of the Program.

8 (70 ILCS 3615/2.42 new)

9 Sec. 2.42. Youth and young adults internships and
10 employment. By January 1, 2024, the Suburban Bus Board and the
11 Commuter Rail Board shall create or partner with a youth jobs
12 program to provide internship or employment opportunities to
13 youth and young adults.

14 (70 ILCS 3615/3.12 new)

15 Sec. 3.12. Reduced or free transit fare study.

16 (a) By July 1, 2024, the Authority shall conduct a study
17 and submit a report to the Governor and General Assembly
18 regarding free and reduced fares and the development of a more
19 equitable fare structure for the regional transit system. The
20 study shall include:

21 (1) The impact and feasibility of providing year-round
22 reduced or free transit fares, including, but not limited
23 to, veterans, returning residents, students and youths,
24 people experiencing low-incomes, and other riders who are

1 not currently receiving free or reduced fares.

2 (2) A review of all reduced fare programs administered
3 by the Authority and the service boards, which includes
4 information on accounting of the total cost of the
5 program, costs to increase the program, current sources of
6 funding for the program, and recommendations to increase
7 enrollment in current reduced fare and free-ride programs
8 and any other recommendations for improvements to the
9 programs.

10 (3) Analysis of how reduced and free ride programs and
11 changes in eligibility and funding for these programs
12 would affect the regional transit operating budget.

13 (b) In this Section, "returning resident" means any United
14 States resident who is 17 years of age or older and has been in
15 and left the physical custody of the Department of Corrections
16 within the last 36 months.

17
18 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

19 Sec. 3A.09. General powers. In addition to any powers
20 elsewhere provided to the Suburban Bus Board, it shall have
21 all of the powers specified in Section 2.20 of this Act except
22 for the powers specified in Section 2.20(a)(v). The Board
23 shall also have the power:

24 (a) to cooperate with the Regional Transportation
25 Authority in the exercise by the Regional Transportation

1 Authority of all the powers granted it by such Act;

2 (b) to receive funds from the Regional Transportation
3 Authority pursuant to Sections 2.02, 4.01, 4.02, 4.09 and
4 4.10 of the Regional Transportation Authority Act, all as
5 provided in the Regional Transportation Authority Act;

6 (c) to receive financial grants from the Regional
7 Transportation Authority or a Service Board, as defined in
8 the Regional Transportation Authority Act, upon such terms
9 and conditions as shall be set forth in a grant contract
10 between either the Division and the Regional
11 Transportation Authority or the Division and another
12 Service Board, which contract or agreement may be for such
13 number of years or duration as the parties agree, all as
14 provided in the Regional Transportation Authority Act;

15 (d) to perform all functions necessary for the
16 provision of paratransit services under Section 2.30 of
17 this Act; ~~and~~

18 (e) to borrow money for the purposes of: (i)
19 constructing a new garage in the northwestern Cook County
20 suburbs, (ii) converting the South Cook garage in Markham
21 to a Compressed Natural Gas facility, (iii) constructing a
22 new paratransit garage in DuPage County, (iv) expanding
23 the North Shore garage in Evanston to accommodate
24 additional indoor bus parking, and (v) purchasing new
25 transit buses. For the purpose of evidencing the
26 obligation of the Suburban Bus Board to repay any money

1 borrowed as provided in this subsection, the Suburban Bus
2 Board may issue revenue bonds from time to time pursuant
3 to ordinance adopted by the Suburban Bus Board, subject to
4 the approval of the Regional Transportation Authority of
5 each such issuance by the affirmative vote of 12 of its
6 then Directors; provided that the Suburban Bus Board may
7 not issue bonds for the purpose of financing the
8 acquisition, construction, or improvement of any facility
9 other than those listed in this subsection (e). All such
10 bonds shall be payable solely from the revenues or income
11 or any other funds that the Suburban Bus Board may
12 receive, provided that the Suburban Bus Board may not
13 pledge as security for such bonds the moneys, if any, that
14 the Suburban Bus Board receives from the Regional
15 Transportation Authority pursuant to Section 4.03.3(f) of
16 the Regional Transportation Authority Act. The bonds shall
17 bear interest at a rate not to exceed the maximum rate
18 authorized by the Bond Authorization Act and shall mature
19 at such time or times not exceeding 25 years from their
20 respective dates. Bonds issued pursuant to this paragraph
21 must be issued with scheduled principal or mandatory
22 redemption payments in equal amounts in each fiscal year
23 over the term of the bonds, with the first principal or
24 mandatory redemption payment scheduled within the fiscal
25 year in which bonds are issued or within the next
26 succeeding fiscal year. At least 25%, based on total

1 principal amount, of all bonds authorized pursuant to this
2 Section shall be sold pursuant to notice of sale and
3 public bid. No more than 75%, based on total principal
4 amount, of all bonds authorized pursuant to this Section
5 shall be sold by negotiated sale. The maximum principal
6 amount of the bonds that may be issued may not exceed
7 \$100,000,000. The bonds shall have all the qualities of
8 negotiable instruments under the laws of this State. To
9 secure the payment of any or all of such bonds and for the
10 purpose of setting forth the covenants and undertakings of
11 the Suburban Bus Board in connection with the issuance
12 thereof and the issuance of any additional bonds payable
13 from such revenue or income as well as the use and
14 application of the revenue or income received by the
15 Suburban Bus Board, the Suburban Bus Board may execute and
16 deliver a trust agreement or agreements; provided that no
17 lien upon any physical property of the Suburban Bus Board
18 shall be created thereby. A remedy for any breach or
19 default of the terms of any such trust agreement by the
20 Suburban Bus Board may be by mandamus proceedings in any
21 court of competent jurisdiction to compel performance and
22 compliance therewith, but the trust agreement may
23 prescribe by whom or on whose behalf such action may be
24 instituted. Under no circumstances shall any bonds issued
25 by the Suburban Bus Board or any other obligation of the
26 Suburban Bus Board in connection with the issuance of such

1 bonds be or become an indebtedness or obligation of the
2 State of Illinois, the Regional Transportation Authority,
3 or any other political subdivision of or municipality
4 within the State, nor shall any such bonds or obligations
5 be or become an indebtedness of the Suburban Bus Board
6 within the purview of any constitutional limitation or
7 provision, and it shall be plainly stated on the face of
8 each bond that it does not constitute such an indebtedness
9 or obligation but is payable solely from the revenues or
10 income as aforesaid; and -

11 (f) to adopt ordinances and make all rules and
12 regulations proper or necessary to regulate the use,
13 operation, and maintenance of its property and facilities
14 and to carry into effect the powers granted to the
15 Suburban Bus Board, with any necessary fines or penalties,
16 such as the suspension of riding privileges or
17 confiscation of fare media under Section 2.40, as the
18 Board deems proper.

19 (Source: P.A. 99-665, eff. 7-29-16.)

20 (70 ILCS 3615/3B.09c new)

21 Sec. 3B.09c. Regulation of the use, operation, and
22 maintenance of property. The Chief of Police of the Metra
23 Police Department may make rules and regulations proper or
24 necessary to regulate the use, operation, and maintenance of
25 the property and facilities of the Commuter Rail Board and to

1 carry into effect the powers granted to the Chief by the
2 Commuter Rail Board, with any necessary fines or penalties,
3 such as the suspension of riding privileges or confiscation of
4 fare media under Section 2.40, that the Chief deems proper.

5 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

6 Sec. 4.01. Budget and Program.

7 (a) The Board shall control the finances of the Authority.
8 It shall by ordinance adopted by the affirmative vote of at
9 least 12 of its then Directors (i) appropriate money to
10 perform the Authority's purposes and provide for payment of
11 debts and expenses of the Authority, (ii) take action with
12 respect to the budget and two-year financial plan of each
13 Service Board, as provided in Section 4.11, and (iii) adopt an
14 Annual Budget and Two-Year Financial Plan for the Authority
15 that includes the annual budget and two-year financial plan of
16 each Service Board that has been approved by the Authority.
17 The Annual Budget and Two-Year Financial Plan shall contain a
18 statement of the funds estimated to be on hand for the
19 Authority and each Service Board at the beginning of the
20 fiscal year, the funds estimated to be received from all
21 sources for such year, the estimated expenses and obligations
22 of the Authority and each Service Board for all purposes,
23 including expenses for contributions to be made with respect
24 to pension and other employee benefits, and the funds
25 estimated to be on hand at the end of such year. The fiscal

1 year of the Authority and each Service Board shall begin on
2 January 1st and end on the succeeding December 31st. By July
3 1st of each year the Director of the Illinois Governor's
4 Office of Management and Budget (formerly Bureau of the
5 Budget) shall submit to the Authority an estimate of revenues
6 for the next fiscal year of the Authority to be collected from
7 the taxes imposed by the Authority and the amounts to be
8 available in the Public Transportation Fund and the Regional
9 Transportation Authority Occupation and Use Tax Replacement
10 Fund and the amounts otherwise to be appropriated by the State
11 to the Authority for its purposes. The Authority shall file a
12 copy of its Annual Budget and Two-Year Financial Plan with the
13 General Assembly and the Governor after its adoption. Before
14 the proposed Annual Budget and Two-Year Financial Plan is
15 adopted, the Authority shall hold at least one public hearing
16 thereon in the metropolitan region, and shall meet with the
17 county board or its designee of each of the several counties in
18 the metropolitan region. After conducting such hearings and
19 holding such meetings and after making such changes in the
20 proposed Annual Budget and Two-Year Financial Plan as the
21 Board deems appropriate, the Board shall adopt its annual
22 appropriation and Annual Budget and Two-Year Financial Plan
23 ordinance. The ordinance may be adopted only upon the
24 affirmative votes of 12 of its then Directors. The ordinance
25 shall appropriate such sums of money as are deemed necessary
26 to defray all necessary expenses and obligations of the

1 Authority, specifying purposes and the objects or programs for
2 which appropriations are made and the amount appropriated for
3 each object or program. Additional appropriations, transfers
4 between items and other changes in such ordinance may be made
5 from time to time by the Board upon the affirmative votes of 12
6 of its then Directors.

7 (b) The Annual Budget and Two-Year Financial Plan shall
8 show a balance between anticipated revenues from all sources
9 and anticipated expenses including funding of operating
10 deficits or the discharge of encumbrances incurred in prior
11 periods and payment of principal and interest when due, and
12 shall show cash balances sufficient to pay with reasonable
13 promptness all obligations and expenses as incurred.

14 The Annual Budget and Two-Year Financial Plan must show:

15 (i) that the level of fares and charges for mass
16 transportation provided by, or under grant or purchase of
17 service contracts of, the Service Boards is sufficient to
18 cause the aggregate of all projected fare revenues from
19 such fares and charges received in each fiscal year to
20 equal at least 50% of the aggregate costs of providing
21 such public transportation in such fiscal year. However,
22 due to the fiscal impacts of the COVID-19 pandemic, the
23 aggregate of all projected fare revenues from such fares
24 and charges received in fiscal years 2021, 2022, ~~and 2023,~~
25 2024, and 2025 may be less than 50% of the aggregate costs
26 of providing such public transportation in those fiscal

1 years. "Fare revenues" include the proceeds of all fares
2 and charges for services provided, contributions received
3 in connection with public transportation from units of
4 local government other than the Authority, except for
5 contributions received by the Chicago Transit Authority
6 from a real estate transfer tax imposed under subsection
7 (i) of Section 8-3-19 of the Illinois Municipal Code, and
8 from the State pursuant to subsection (i) of Section
9 2705-305 of the Department of Transportation Law (20 ILCS
10 2705/2705-305), and all other operating revenues properly
11 included consistent with generally accepted accounting
12 principles but do not include: the proceeds of any
13 borrowings, and, beginning with the 2007 fiscal year, all
14 revenues and receipts, including but not limited to fares
15 and grants received from the federal, State or any unit of
16 local government or other entity, derived from providing
17 ADA paratransit service pursuant to Section 2.30 of the
18 Regional Transportation Authority Act. "Costs" include all
19 items properly included as operating costs consistent with
20 generally accepted accounting principles, including
21 administrative costs, but do not include: depreciation;
22 payment of principal and interest on bonds, notes or other
23 evidences of obligation for borrowed money issued by the
24 Authority; payments with respect to public transportation
25 facilities made pursuant to subsection (b) of Section 2.20
26 of this Act; any payments with respect to rate protection

1 contracts, credit enhancements or liquidity agreements
2 made under Section 4.14; any other cost to which it is
3 reasonably expected that a cash expenditure will not be
4 made; costs for passenger security including grants,
5 contracts, personnel, equipment and administrative
6 expenses, except in the case of the Chicago Transit
7 Authority, in which case the term does not include costs
8 spent annually by that entity for protection against crime
9 as required by Section 27a of the Metropolitan Transit
10 Authority Act; the payment by the Chicago Transit
11 Authority of Debt Service, as defined in Section 12c of
12 the Metropolitan Transit Authority Act, on bonds or notes
13 issued pursuant to that Section; the payment by the
14 Commuter Rail Division of debt service on bonds issued
15 pursuant to Section 3B.09; expenses incurred by the
16 Suburban Bus Division for the cost of new public
17 transportation services funded from grants pursuant to
18 Section 2.01e of this amendatory Act of the 95th General
19 Assembly for a period of 2 years from the date of
20 initiation of each such service; costs as exempted by the
21 Board for projects pursuant to Section 2.09 of this Act;
22 or, beginning with the 2007 fiscal year, expenses related
23 to providing ADA paratransit service pursuant to Section
24 2.30 of the Regional Transportation Authority Act; and in
25 fiscal years 2008 through 2012 inclusive, costs in the
26 amount of \$200,000,000 in fiscal year 2008, reducing by

1 \$40,000,000 in each fiscal year thereafter until this
2 exemption is eliminated; and

3 (ii) that the level of fares charged for ADA
4 paratransit services is sufficient to cause the aggregate
5 of all projected revenues from such fares charged and
6 received in each fiscal year to equal at least 10% of the
7 aggregate costs of providing such ADA paratransit
8 services. However, due to the fiscal impacts of the
9 COVID-19 pandemic, the aggregate of all projected fare
10 revenues from such fares and charges received in fiscal
11 years 2021, 2022, ~~and 2023~~, 2024, and 2025 may be less than
12 10% of the aggregate costs of providing such ADA
13 paratransit services in those fiscal years. For purposes
14 of this Act, the percentages in this subsection (b)(ii)
15 shall be referred to as the "system generated ADA
16 paratransit services revenue recovery ratio". For purposes
17 of the system generated ADA paratransit services revenue
18 recovery ratio, "costs" shall include all items properly
19 included as operating costs consistent with generally
20 accepted accounting principles. However, the Board may
21 exclude from costs an amount that does not exceed the
22 allowable "capital costs of contracting" for ADA
23 paratransit services pursuant to the Federal Transit
24 Administration guidelines for the Urbanized Area Formula
25 Program.

26 (b-5) Before fares and charges received in fiscal years

1 2024 and 2025 may be less than 50% of the aggregate costs of
2 providing public transportation in those fiscal years under
3 item (i) of subsection (b), the Authority and Service Boards
4 must perform the actions required under this subsection.

5 The Authority and Service Boards must publish a monthly
6 comprehensive set of data regarding transit service and
7 safety. The data included shall include information to track
8 operations including:

9 (1) staffing levels, including numbers of budgeted
10 positions, current positions employed, hired staff,
11 attrition, staff in training, and absenteeism rates;

12 (2) scheduled service and delivered service, including
13 percentage of scheduled service delivered by day, service
14 by mode of transportation, service by route and rail line,
15 total number of revenue miles driven, excess wait times by
16 day, by mode of transportation, by bus route, and by stop;
17 and

18 (3) safety on the system, including the number of
19 incidents of crime and code of conduct violations on
20 system, any performance measures used to evaluate the
21 effectiveness of investments in private security, safety
22 equipment, and other security investments in the system.
23 If no performance measures exist to evaluate the
24 effectiveness of these safety investments, the Service
25 Boards and Authority shall develop and publish these
26 performance measures.

1 The Authority and Service Boards shall solicit input and
2 ideas on publishing data on the service reliability,
3 operations, and safety of the system from the public and
4 groups representing transit riders, workers, and businesses.

5 (c) The actual administrative expenses of the Authority
6 for the fiscal year commencing January 1, 1985 may not exceed
7 \$5,000,000. The actual administrative expenses of the
8 Authority for the fiscal year commencing January 1, 1986, and
9 for each fiscal year thereafter shall not exceed the maximum
10 administrative expenses for the previous fiscal year plus 5%.
11 "Administrative expenses" are defined for purposes of this
12 Section as all expenses except: (1) capital expenses and
13 purchases of the Authority on behalf of the Service Boards;
14 (2) payments to Service Boards; and (3) payment of principal
15 and interest on bonds, notes or other evidence of obligation
16 for borrowed money issued by the Authority; (4) costs for
17 passenger security including grants, contracts, personnel,
18 equipment and administrative expenses; (5) payments with
19 respect to public transportation facilities made pursuant to
20 subsection (b) of Section 2.20 of this Act; and (6) any
21 payments with respect to rate protection contracts, credit
22 enhancements or liquidity agreements made pursuant to Section
23 4.14.

24 (d) This subsection applies only until the Department
25 begins administering and enforcing an increased tax under
26 Section 4.03(m) as authorized by this amendatory Act of the

1 95th General Assembly. After withholding 15% of the proceeds
2 of any tax imposed by the Authority and 15% of money received
3 by the Authority from the Regional Transportation Authority
4 Occupation and Use Tax Replacement Fund, the Board shall
5 allocate the proceeds and money remaining to the Service
6 Boards as follows: (1) an amount equal to 85% of the proceeds
7 of those taxes collected within the City of Chicago and 85% of
8 the money received by the Authority on account of transfers to
9 the Regional Transportation Authority Occupation and Use Tax
10 Replacement Fund from the County and Mass Transit District
11 Fund attributable to retail sales within the City of Chicago
12 shall be allocated to the Chicago Transit Authority; (2) an
13 amount equal to 85% of the proceeds of those taxes collected
14 within Cook County outside the City of Chicago and 85% of the
15 money received by the Authority on account of transfers to the
16 Regional Transportation Authority Occupation and Use Tax
17 Replacement Fund from the County and Mass Transit District
18 Fund attributable to retail sales within Cook County outside
19 of the city of Chicago shall be allocated 30% to the Chicago
20 Transit Authority, 55% to the Commuter Rail Board and 15% to
21 the Suburban Bus Board; and (3) an amount equal to 85% of the
22 proceeds of the taxes collected within the Counties of DuPage,
23 Kane, Lake, McHenry and Will shall be allocated 70% to the
24 Commuter Rail Board and 30% to the Suburban Bus Board.

25 (e) This subsection applies only until the Department
26 begins administering and enforcing an increased tax under

1 Section 4.03(m) as authorized by this amendatory Act of the
2 95th General Assembly. Moneys received by the Authority on
3 account of transfers to the Regional Transportation Authority
4 Occupation and Use Tax Replacement Fund from the State and
5 Local Sales Tax Reform Fund shall be allocated among the
6 Authority and the Service Boards as follows: 15% of such
7 moneys shall be retained by the Authority and the remaining
8 85% shall be transferred to the Service Boards as soon as may
9 be practicable after the Authority receives payment. Moneys
10 which are distributable to the Service Boards pursuant to the
11 preceding sentence shall be allocated among the Service Boards
12 on the basis of each Service Board's distribution ratio. The
13 term "distribution ratio" means, for purposes of this
14 subsection (e) of this Section 4.01, the ratio of the total
15 amount distributed to a Service Board pursuant to subsection
16 (d) of Section 4.01 for the immediately preceding calendar
17 year to the total amount distributed to all of the Service
18 Boards pursuant to subsection (d) of Section 4.01 for the
19 immediately preceding calendar year.

20 (f) To carry out its duties and responsibilities under
21 this Act, the Board shall employ staff which shall: (1)
22 propose for adoption by the Board of the Authority rules for
23 the Service Boards that establish (i) forms and schedules to
24 be used and information required to be provided with respect
25 to a five-year capital program, annual budgets, and two-year
26 financial plans and regular reporting of actual results

1 against adopted budgets and financial plans, (ii) financial
2 practices to be followed in the budgeting and expenditure of
3 public funds, (iii) assumptions and projections that must be
4 followed in preparing and submitting its annual budget and
5 two-year financial plan or a five-year capital program; (2)
6 evaluate for the Board public transportation programs operated
7 or proposed by the Service Boards and transportation agencies
8 in terms of the goals and objectives set out in the Strategic
9 Plan; (3) keep the Board and the public informed of the extent
10 to which the Service Boards and transportation agencies are
11 meeting the goals and objectives adopted by the Authority in
12 the Strategic Plan; and (4) assess the efficiency or adequacy
13 of public transportation services provided by a Service Board
14 and make recommendations for change in that service to the end
15 that the moneys available to the Authority may be expended in
16 the most economical manner possible with the least possible
17 duplication.

18 (g) All Service Boards, transportation agencies,
19 comprehensive planning agencies, including the Chicago
20 Metropolitan Agency for Planning, or transportation planning
21 agencies in the metropolitan region shall furnish to the
22 Authority such information pertaining to public transportation
23 or relevant for plans therefor as it may from time to time
24 require. The Executive Director, or his or her designee,
25 shall, for the purpose of securing any such information
26 necessary or appropriate to carry out any of the powers and

1 responsibilities of the Authority under this Act, have access
2 to, and the right to examine, all books, documents, papers or
3 records of a Service Board or any transportation agency
4 receiving funds from the Authority or Service Board, and such
5 Service Board or transportation agency shall comply with any
6 request by the Executive Director, or his or her designee,
7 within 30 days or an extended time provided by the Executive
8 Director.

9 (h) No Service Board shall undertake any capital
10 improvement which is not identified in the Five-Year Capital
11 Program.

12 (i) Each Service Board shall furnish to the Board access
13 to its financial information including, but not limited to,
14 audits and reports. The Board shall have real-time access to
15 the financial information of the Service Boards; however, the
16 Board shall be granted read-only access to the Service Board's
17 financial information.

18 (Source: P.A. 102-678, eff. 12-10-21.)

19 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

20 Sec. 4.09. Public Transportation Fund and the Regional
21 Transportation Authority Occupation and Use Tax Replacement
22 Fund.

23 (a) (1) Except as otherwise provided in paragraph (4), as
24 soon as possible after the first day of each month, beginning
25 July 1, 1984, upon certification of the Department of Revenue,

1 the Comptroller shall order transferred and the Treasurer
2 shall transfer from the General Revenue Fund to a special fund
3 in the State Treasury to be known as the Public Transportation
4 Fund an amount equal to 25% of the net revenue, before the
5 deduction of the serviceman and retailer discounts pursuant to
6 Section 9 of the Service Occupation Tax Act and Section 3 of
7 the Retailers' Occupation Tax Act, realized from any tax
8 imposed by the Authority pursuant to Sections 4.03 and 4.03.1
9 and 25% of the amounts deposited into the Regional
10 Transportation Authority tax fund created by Section 4.03 of
11 this Act, from the County and Mass Transit District Fund as
12 provided in Section 6z-20 of the State Finance Act and 25% of
13 the amounts deposited into the Regional Transportation
14 Authority Occupation and Use Tax Replacement Fund from the
15 State and Local Sales Tax Reform Fund as provided in Section
16 6z-17 of the State Finance Act. On the first day of the month
17 following the date that the Department receives revenues from
18 increased taxes under Section 4.03(m) as authorized by Public
19 Act 95-708, in lieu of the transfers authorized in the
20 preceding sentence, upon certification of the Department of
21 Revenue, the Comptroller shall order transferred and the
22 Treasurer shall transfer from the General Revenue Fund to the
23 Public Transportation Fund an amount equal to 25% of the net
24 revenue, before the deduction of the serviceman and retailer
25 discounts pursuant to Section 9 of the Service Occupation Tax
26 Act and Section 3 of the Retailers' Occupation Tax Act,

1 realized from (i) 80% of the proceeds of any tax imposed by the
2 Authority at a rate of 1.25% in Cook County, (ii) 75% of the
3 proceeds of any tax imposed by the Authority at the rate of 1%
4 in Cook County, and (iii) one-third of the proceeds of any tax
5 imposed by the Authority at the rate of 0.75% in the Counties
6 of DuPage, Kane, Lake, McHenry, and Will, all pursuant to
7 Section 4.03, and 25% of the net revenue realized from any tax
8 imposed by the Authority pursuant to Section 4.03.1, and 25%
9 of the amounts deposited into the Regional Transportation
10 Authority tax fund created by Section 4.03 of this Act from the
11 County and Mass Transit District Fund as provided in Section
12 6z-20 of the State Finance Act, and 25% of the amounts
13 deposited into the Regional Transportation Authority
14 Occupation and Use Tax Replacement Fund from the State and
15 Local Sales Tax Reform Fund as provided in Section 6z-17 of the
16 State Finance Act. As used in this Section, net revenue
17 realized for a month shall be the revenue collected by the
18 State pursuant to Sections 4.03 and 4.03.1 during the previous
19 month from within the metropolitan region, less the amount
20 paid out during that same month as refunds to taxpayers for
21 overpayment of liability in the metropolitan region under
22 Sections 4.03 and 4.03.1.

23 Notwithstanding any provision of law to the contrary,
24 beginning on July 6, 2017 (the effective date of Public Act
25 100-23), those amounts required under this paragraph (1) of
26 subsection (a) to be transferred by the Treasurer into the

1 Public Transportation Fund from the General Revenue Fund shall
2 be directly deposited into the Public Transportation Fund as
3 the revenues are realized from the taxes indicated.

4 (2) Except as otherwise provided in paragraph (4), on
5 February 1, 2009 (the first day of the month following the
6 effective date of Public Act 95-708) and each month
7 thereafter, upon certification by the Department of Revenue,
8 the Comptroller shall order transferred and the Treasurer
9 shall transfer from the General Revenue Fund to the Public
10 Transportation Fund an amount equal to 5% of the net revenue,
11 before the deduction of the serviceman and retailer discounts
12 pursuant to Section 9 of the Service Occupation Tax Act and
13 Section 3 of the Retailers' Occupation Tax Act, realized from
14 any tax imposed by the Authority pursuant to Sections 4.03 and
15 4.03.1 and certified by the Department of Revenue under
16 Section 4.03(n) of this Act to be paid to the Authority and 5%
17 of the amounts deposited into the Regional Transportation
18 Authority tax fund created by Section 4.03 of this Act from the
19 County and Mass Transit District Fund as provided in Section
20 6z-20 of the State Finance Act, and 5% of the amounts deposited
21 into the Regional Transportation Authority Occupation and Use
22 Tax Replacement Fund from the State and Local Sales Tax Reform
23 Fund as provided in Section 6z-17 of the State Finance Act, and
24 5% of the revenue realized by the Chicago Transit Authority as
25 financial assistance from the City of Chicago from the
26 proceeds of any tax imposed by the City of Chicago under

1 Section 8-3-19 of the Illinois Municipal Code.

2 Notwithstanding any provision of law to the contrary,
3 beginning on July 6, 2017 (the effective date of Public Act
4 100-23), those amounts required under this paragraph (2) of
5 subsection (a) to be transferred by the Treasurer into the
6 Public Transportation Fund from the General Revenue Fund shall
7 be directly deposited into the Public Transportation Fund as
8 the revenues are realized from the taxes indicated.

9 (3) Except as otherwise provided in paragraph (4), as soon
10 as possible after the first day of January, 2009 and each month
11 thereafter, upon certification of the Department of Revenue
12 with respect to the taxes collected under Section 4.03, the
13 Comptroller shall order transferred and the Treasurer shall
14 transfer from the General Revenue Fund to the Public
15 Transportation Fund an amount equal to 25% of the net revenue,
16 before the deduction of the serviceman and retailer discounts
17 pursuant to Section 9 of the Service Occupation Tax Act and
18 Section 3 of the Retailers' Occupation Tax Act, realized from
19 (i) 20% of the proceeds of any tax imposed by the Authority at
20 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any
21 tax imposed by the Authority at the rate of 1% in Cook County,
22 and (iii) one-third of the proceeds of any tax imposed by the
23 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
24 Lake, McHenry, and Will, all pursuant to Section 4.03, and the
25 Comptroller shall order transferred and the Treasurer shall
26 transfer from the General Revenue Fund to the Public

1 Transportation Fund (iv) an amount equal to 25% of the revenue
2 realized by the Chicago Transit Authority as financial
3 assistance from the City of Chicago from the proceeds of any
4 tax imposed by the City of Chicago under Section 8-3-19 of the
5 Illinois Municipal Code.

6 Notwithstanding any provision of law to the contrary,
7 beginning on July 6, 2017 (the effective date of Public Act
8 100-23), those amounts required under this paragraph (3) of
9 subsection (a) to be transferred by the Treasurer into the
10 Public Transportation Fund from the General Revenue Fund shall
11 be directly deposited into the Public Transportation Fund as
12 the revenues are realized from the taxes indicated.

13 (4) Notwithstanding any provision of law to the contrary,
14 of the transfers to be made under paragraphs (1), (2), and (3)
15 of this subsection (a) from the General Revenue Fund to the
16 Public Transportation Fund, the first \$150,000,000 that would
17 have otherwise been transferred from the General Revenue Fund
18 shall be transferred from the Road Fund. The remaining balance
19 of such transfers shall be made from the General Revenue Fund.

20 (5) (Blank).

21 (6) (Blank).

22 (7) For State fiscal year 2020 only, notwithstanding any
23 provision of law to the contrary, the total amount of revenue
24 and deposits under this Section attributable to revenues
25 realized during State fiscal year 2020 shall be reduced by 5%.

26 (8) For State fiscal year 2021 only, notwithstanding any

1 provision of law to the contrary, the total amount of revenue
2 and deposits under this Section attributable to revenues
3 realized during State fiscal year 2021 shall be reduced by 5%.

4 (b) (1) All moneys deposited in the Public Transportation
5 Fund and the Regional Transportation Authority Occupation and
6 Use Tax Replacement Fund, whether deposited pursuant to this
7 Section or otherwise, are allocated to the Authority, except
8 for amounts appropriated to the Office of the Executive
9 Inspector General as authorized by subsection (h) of Section
10 4.03.3 and amounts transferred to the Audit Expense Fund
11 pursuant to Section 6z-27 of the State Finance Act. The
12 Comptroller, as soon as possible after each monthly transfer
13 provided in this Section and after each deposit into the
14 Public Transportation Fund, shall order the Treasurer to pay
15 to the Authority out of the Public Transportation Fund the
16 amount so transferred or deposited. Any Additional State
17 Assistance and Additional Financial Assistance paid to the
18 Authority under this Section shall be expended by the
19 Authority for its purposes as provided in this Act. The
20 balance of the amounts paid to the Authority from the Public
21 Transportation Fund shall be expended by the Authority as
22 provided in Section 4.03.3. The Comptroller, as soon as
23 possible after each deposit into the Regional Transportation
24 Authority Occupation and Use Tax Replacement Fund provided in
25 this Section and Section 6z-17 of the State Finance Act, shall
26 order the Treasurer to pay to the Authority out of the Regional

1 Transportation Authority Occupation and Use Tax Replacement
2 Fund the amount so deposited. Such amounts paid to the
3 Authority may be expended by it for its purposes as provided in
4 this Act. The provisions directing the distributions from the
5 Public Transportation Fund and the Regional Transportation
6 Authority Occupation and Use Tax Replacement Fund provided for
7 in this Section shall constitute an irrevocable and continuing
8 appropriation of all amounts as provided herein. The State
9 Treasurer and State Comptroller are hereby authorized and
10 directed to make distributions as provided in this Section.

11 (2) Provided, however, no moneys deposited under subsection
12 (a) of this Section shall be paid from the Public
13 Transportation Fund to the Authority or its assignee for any
14 fiscal year until the Authority has certified to the Governor,
15 the Comptroller, and the Mayor of the City of Chicago that it
16 has adopted for that fiscal year an Annual Budget and Two-Year
17 Financial Plan meeting the requirements in Section 4.01(b).

18 (c) In recognition of the efforts of the Authority to
19 enhance the mass transportation facilities under its control,
20 the State shall provide financial assistance ("Additional
21 State Assistance") in excess of the amounts transferred to the
22 Authority from the General Revenue Fund under subsection (a)
23 of this Section. Additional State Assistance shall be
24 calculated as provided in subsection (d), but shall in no
25 event exceed the following specified amounts with respect to
26 the following State fiscal years:

1	1990	\$5,000,000;
2	1991	\$5,000,000;
3	1992	\$10,000,000;
4	1993	\$10,000,000;
5	1994	\$20,000,000;
6	1995	\$30,000,000;
7	1996	\$40,000,000;
8	1997	\$50,000,000;
9	1998	\$55,000,000; and
10	each year thereafter	\$55,000,000.

11 (c-5) The State shall provide financial assistance
12 ("Additional Financial Assistance") in addition to the
13 Additional State Assistance provided by subsection (c) and the
14 amounts transferred to the Authority from the General Revenue
15 Fund under subsection (a) of this Section. Additional
16 Financial Assistance provided by this subsection shall be
17 calculated as provided in subsection (d), but shall in no
18 event exceed the following specified amounts with respect to
19 the following State fiscal years:

20	2000	\$0;
21	2001	\$16,000,000;
22	2002	\$35,000,000;
23	2003	\$54,000,000;
24	2004	\$73,000,000;
25	2005	\$93,000,000; and
26	each year thereafter	\$100,000,000.

1 (d) Beginning with State fiscal year 1990 and continuing
2 for each State fiscal year thereafter, the Authority shall
3 annually certify to the State Comptroller and State Treasurer,
4 separately with respect to each of subdivisions (g)(2) and
5 (g)(3) of Section 4.04 of this Act, the following amounts:

6 (1) The amount necessary and required, during the
7 State fiscal year with respect to which the certification
8 is made, to pay its obligations for debt service on all
9 outstanding bonds or notes issued by the Authority under
10 subdivisions (g)(2) and (g)(3) of Section 4.04 of this
11 Act.

12 (2) An estimate of the amount necessary and required
13 to pay its obligations for debt service for any bonds or
14 notes which the Authority anticipates it will issue under
15 subdivisions (g)(2) and (g)(3) of Section 4.04 during that
16 State fiscal year.

17 (3) Its debt service savings during the preceding
18 State fiscal year from refunding or advance refunding of
19 bonds or notes issued under subdivisions (g)(2) and (g)(3)
20 of Section 4.04.

21 (4) The amount of interest, if any, earned by the
22 Authority during the previous State fiscal year on the
23 proceeds of bonds or notes issued pursuant to subdivisions
24 (g)(2) and (g)(3) of Section 4.04, other than refunding or
25 advance refunding bonds or notes.

26 The certification shall include a specific schedule of

1 debt service payments, including the date and amount of each
2 payment for all outstanding bonds or notes and an estimated
3 schedule of anticipated debt service for all bonds and notes
4 it intends to issue, if any, during that State fiscal year,
5 including the estimated date and estimated amount of each
6 payment.

7 Immediately upon the issuance of bonds for which an
8 estimated schedule of debt service payments was prepared, the
9 Authority shall file an amended certification with respect to
10 item (2) above, to specify the actual schedule of debt service
11 payments, including the date and amount of each payment, for
12 the remainder of the State fiscal year.

13 On the first day of each month of the State fiscal year in
14 which there are bonds outstanding with respect to which the
15 certification is made, the State Comptroller shall order
16 transferred and the State Treasurer shall transfer from the
17 Road Fund to the Public Transportation Fund the Additional
18 State Assistance and Additional Financial Assistance in an
19 amount equal to the aggregate of (i) one-twelfth of the sum of
20 the amounts certified under items (1) and (3) above less the
21 amount certified under item (4) above, plus (ii) the amount
22 required to pay debt service on bonds and notes issued during
23 the fiscal year, if any, divided by the number of months
24 remaining in the fiscal year after the date of issuance, or
25 some smaller portion as may be necessary under subsection (c)
26 or (c-5) of this Section for the relevant State fiscal year,

1 plus (iii) any cumulative deficiencies in transfers for prior
2 months, until an amount equal to the sum of the amounts
3 certified under items (1) and (3) above, plus the actual debt
4 service certified under item (2) above, less the amount
5 certified under item (4) above, has been transferred; except
6 that these transfers are subject to the following limits:

7 (A) In no event shall the total transfers in any State
8 fiscal year relating to outstanding bonds and notes issued
9 by the Authority under subdivision (g)(2) of Section 4.04
10 exceed the lesser of the annual maximum amount specified
11 in subsection (c) or the sum of the amounts certified
12 under items (1) and (3) above, plus the actual debt
13 service certified under item (2) above, less the amount
14 certified under item (4) above, with respect to those
15 bonds and notes.

16 (B) In no event shall the total transfers in any State
17 fiscal year relating to outstanding bonds and notes issued
18 by the Authority under subdivision (g)(3) of Section 4.04
19 exceed the lesser of the annual maximum amount specified
20 in subsection (c-5) or the sum of the amounts certified
21 under items (1) and (3) above, plus the actual debt
22 service certified under item (2) above, less the amount
23 certified under item (4) above, with respect to those
24 bonds and notes.

25 The term "outstanding" does not include bonds or notes for
26 which refunding or advance refunding bonds or notes have been

1 issued.

2 (e) Neither Additional State Assistance nor Additional
3 Financial Assistance may be pledged, either directly or
4 indirectly as general revenues of the Authority, as security
5 for any bonds issued by the Authority. The Authority may not
6 assign its right to receive Additional State Assistance or
7 Additional Financial Assistance, or direct payment of
8 Additional State Assistance or Additional Financial
9 Assistance, to a trustee or any other entity for the payment of
10 debt service on its bonds.

11 (f) The certification required under subsection (d) with
12 respect to outstanding bonds and notes of the Authority shall
13 be filed as early as practicable before the beginning of the
14 State fiscal year to which it relates. The certification shall
15 be revised as may be necessary to accurately state the debt
16 service requirements of the Authority.

17 (g) Within 6 months of the end of each fiscal year, the
18 Authority shall determine:

19 (i) whether the aggregate of all system generated
20 revenues for public transportation in the metropolitan
21 region which is provided by, or under grant or purchase of
22 service contracts with, the Service Boards equals 50% of
23 the aggregate of all costs of providing such public
24 transportation. "System generated revenues" include all
25 the proceeds of fares and charges for services provided,
26 contributions received in connection with public

1 transportation from units of local government other than
2 the Authority, except for contributions received by the
3 Chicago Transit Authority from a real estate transfer tax
4 imposed under subsection (i) of Section 8-3-19 of the
5 Illinois Municipal Code, and from the State pursuant to
6 subsection (i) of Section 2705-305 of the Department of
7 Transportation Law, and all other revenues properly
8 included consistent with generally accepted accounting
9 principles but may not include: the proceeds from any
10 borrowing, and, beginning with the 2007 fiscal year, all
11 revenues and receipts, including but not limited to fares
12 and grants received from the federal, State or any unit of
13 local government or other entity, derived from providing
14 ADA paratransit service pursuant to Section 2.30 of the
15 Regional Transportation Authority Act. "Costs" include all
16 items properly included as operating costs consistent with
17 generally accepted accounting principles, including
18 administrative costs, but do not include: depreciation;
19 payment of principal and interest on bonds, notes or other
20 evidences of obligations for borrowed money of the
21 Authority; payments with respect to public transportation
22 facilities made pursuant to subsection (b) of Section
23 2.20; any payments with respect to rate protection
24 contracts, credit enhancements or liquidity agreements
25 made under Section 4.14; any other cost as to which it is
26 reasonably expected that a cash expenditure will not be

1 made; costs for passenger security including grants,
2 contracts, personnel, equipment and administrative
3 expenses, except in the case of the Chicago Transit
4 Authority, in which case the term does not include costs
5 spent annually by that entity for protection against crime
6 as required by Section 27a of the Metropolitan Transit
7 Authority Act; the costs of Debt Service paid by the
8 Chicago Transit Authority, as defined in Section 12c of
9 the Metropolitan Transit Authority Act, or bonds or notes
10 issued pursuant to that Section; the payment by the
11 Commuter Rail Division of debt service on bonds issued
12 pursuant to Section 3B.09; expenses incurred by the
13 Suburban Bus Division for the cost of new public
14 transportation services funded from grants pursuant to
15 Section 2.01e of this Act for a period of 2 years from the
16 date of initiation of each such service; costs as exempted
17 by the Board for projects pursuant to Section 2.09 of this
18 Act; or, beginning with the 2007 fiscal year, expenses
19 related to providing ADA paratransit service pursuant to
20 Section 2.30 of the Regional Transportation Authority Act;
21 or in fiscal years 2008 through 2012 inclusive, costs in
22 the amount of \$200,000,000 in fiscal year 2008, reducing
23 by \$40,000,000 in each fiscal year thereafter until this
24 exemption is eliminated. If said system generated revenues
25 are less than 50% of said costs, the Board shall remit an
26 amount equal to the amount of the deficit to the State;

1 however, due to the fiscal impacts from the COVID-19
2 pandemic, for fiscal years 2021, 2022, ~~and 2023,~~ 2024, and
3 2025, no such payment shall be required. The Treasurer
4 shall deposit any such payment in the Road Fund; and

5 (ii) whether, beginning with the 2007 fiscal year, the
6 aggregate of all fares charged and received for ADA
7 paratransit services equals the system generated ADA
8 paratransit services revenue recovery ratio percentage of
9 the aggregate of all costs of providing such ADA
10 paratransit services.

11 (h) If the Authority makes any payment to the State under
12 paragraph (g), the Authority shall reduce the amount provided
13 to a Service Board from funds transferred under paragraph (a)
14 in proportion to the amount by which that Service Board failed
15 to meet its required system generated revenues recovery ratio.
16 A Service Board which is affected by a reduction in funds under
17 this paragraph shall submit to the Authority concurrently with
18 its next due quarterly report a revised budget incorporating
19 the reduction in funds. The revised budget must meet the
20 criteria specified in clauses (i) through (vi) of Section
21 4.11(b)(2). The Board shall review and act on the revised
22 budget as provided in Section 4.11(b)(3).

23 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
24 102-678, eff. 12-10-21.)

25 Section 90. The State Mandates Act is amended by adding

1 Section 8.47 as follows:

2 (30 ILCS 805/8.47 new)

3 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and
4 8 of this Act, no reimbursement by the State is required for
5 the implementation of the mandate created by Section 2.10a of
6 the Regional Transportation Authority Act in this amendatory
7 Act of the 103rd General Assembly.

8 Section 99. Effective date. This Section and Sections 2.41
9 and 2.42 of the Regional Transportation Authority Act take
10 effect upon becoming law.".